

I am writing in opposition to the National Association of Broadcasters petition for a Declaratory Ruling. A ruling in favor of the NAB\'s petition would be a ruling against consumer choice and competition in the marketplace. I strongly urge the Commission to rule in favor of consumer choice and competition by Rejecting the NAB\'s petition.

Let me comment on the two requests from the NAB:

\\"1) prohibit satellite digital audio radio service ("SDARS") from using any technology to permit the delivery of content that would be aired on a receiver in one location that differs from the content that would be aired on a receiver in a different location;\\"

The above is overly restrictive, and would prevent the satellite radio companies from providing valuable survives to consumers that even the AM/FM broadcasters are incapable of providing. Any agreement should not eliminate innovative applications that can only be realized through the use of national broadcasts.

\\"2) prohibit SDARS providers from providing locally oriented services on nationally distributed channels. Alternatively, NAB requests the Commission to reopen the SDARS licensing proceeding to evaluate the impact of the service on local broadcasting.\\"

Part 2 is even more restrictive than part 1, but they have the same impact. Less service options for consumers, and less competition.

I am a satisfied subscriber to Sirius Satellite Radio Service and I urge the Commission to carefully consider the voices of the consumer in this matter. The local traffic and weather on my AM dial is not meeting my needs and I find the Sirius service to be much better in this regard. Adopting the NAB\'s requests would have an unfortunate affect of killing innovative services that are presently conceived, and those that have yet to be discovered.

Thank you for your consideration of my position in this matter.